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January 15, 2009

TO: Clerks of the Court
Law Enforcement Agencies
State Attorneys

FROM:  Dana Reiding, Chief
Driver License Records

RE: Selling Alcohol to a Minor, Section 562.11(1)(a), Florida Statutes

A recent internal audit of our driver database reflects that we have not received any suspensions or revocations related to section 562.11(1) (a), Florida Statutes. This statute makes it unlawful for any person to sell, give, serve or permit to be served alcoholic beverages to a person less than 21 years of age or to permit a person less than 21 years of age to consume such alcoholic beverages on the licensed premises. This statute took effect on October 1, 2006.

Section 562.11(1) (a) 2, Florida Statutes specifically states that the court may order our Department to suspend or revoke the driver's license or driving privilege. Since it indicates that the "court may order" the suspension, we will not suspend or revoke without being directed to do so by the court. Section 322.057, Florida Statutes indicates that the suspension or revocation must be at least 3 months but not more than 6 months for a first violation and 1 year for any subsequent violations. It further provides that the court may direct our Department to issue a driver's license restricted to business or employment purposes if qualified. Convictions for this violation with court directed suspension or revocation periods may be submitted to our Department on the Court Order Report of Disposition Form.

If you have any questions regarding driver license sanctions, please consult <http://www.flhsmv.gov/courts/>, or call Alicia Armstrong at (850) 617-2571 or email court-assist@flhsmv.gov.